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OFFICE OF PETITIONS

In re Application of
Drzaic et al.
Application No. 09/289,507
Filed: April 9, 1999
Attorney Docket No. INK-039

DECISION ON PETITION

This is a decision on the petition under 37 CFR §1.137(b), filed November 14, 2005 to revive the above-identified application.

This petition is hereby **Dismissed**.

Any request for reconsideration must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** final agency action within the meaning of 5 U.S.C. §704.

This application became abandoned for failure to timely submit corrected drawings, as required by the Notice of Allowability which was mailed April 11, 2005 and set a 3 month period for reply. Extensions of time were not available under 37 CFR §1.136(a). Accordingly, this application became abandoned on July 12, 2005. A Notice of Abandonment was mailed on October 28, 2005.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional"; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(c). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Commissioner may require additional information. See MPEP 711.03 (c)(III)(c) and (D).

The instant petition lacks items (1). Although corrected drawings were submitted with the petition, the Draftsperson has objected to the drawings. Accordingly, corrected drawings are required. Please refer to the Notice of Draftsperson's Patent Drawing Review enclosed.

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enclosure